

bunals came cases of marriage and divorce, clerical suits foi arrears of tithe and other ecclesiastical dues, probate of wills and prosecution for sins punishable by the Church. There was apparently little complaint mndo of their jurisdiction in marriage and divorce. But the probate of wills, on the other hand, of which the ecclesiastics had the monopoly, was made a means of extortion on a large scale. The laity, in self-defence, attempted to secure fair terms for themselves by acts of Parliament and injunctions from the lay courts, but always in vain. The complaint continued loud until the grievance received drastic remedy at the hands of Henry tha Eighth.¹

The suits of clergy against laity for payment of arrears of tithe and other dues were all decided before Church tribunals. It was not to be expected that in such cases a clerical judge would be more impartial than the officials of the Administrative Courts of France and Germany, who to-day decide cases between government employes and ordinary citizens. Chaucer's energetic Archdeacon inflicts severe punishment in his court for refusal of tithe :—

Fox* smale tvlhow anul for smal
ofTrmge, He rnado the peplo
pitounly to nmgo,

In bad times the strict demand for tithe pressed hard on the poor, and the odium of enforcing it in CHHIUS whore it was a real hardship fell on those courts.² But the feeling was often embittered on both sides by the objection that the laity often felt towards making payments to non-rosidonf. rectors, or to monasteries and Bishops who had appropriated the tithe of a parish. The movement for refusal of such dues was at this period a market! thing. It was a means of giving expression to general discontent with the Church. The clergy complained that the King's Courts often supported tha illegal refusal of the laity to pay tithe, by placing injunctions and other hindrances in the way of Its recovery.³

In all these cases of marriage, testament and ecclesiastical dues, the Church courts were acting simply as law courts. As

¹ *Rot. Parl.*, ii. 835, in. 25 ; *Pol. Pfw*m, I. B28 ; *State* of BeaZm> 15*
Til., i. 6 ; 4 H. V. 8 ; 21 H. VIII. & » Matt, l&t
* *Stats, of t&alm*, I B. IL 1&